

REMARKS/ARGUMENTS

This amendment is respectfully submitted in response to the office action dated September 19, 2006. The deadline for responding has been extended to March 19, 2006 by way of a request for a 3 month extension of time made herewith.

Applicants undersigned representative hereby requests an in-person interview to discuss the outstanding office action prior to the next action on the case. The Examiner is invited to contact Applicant's representative at 732-542-9070 to schedule the interview.

I. Introduction

Claims 6-14, 26-30, and 33-38 are pending. New claims 37-38 have been added. Claims 6, 7, 26 and 27 have been amended herein to clarify the claims and to overcome the claim objections.

As will be discussed below, none of the pending claims are anticipated or rendered obvious by the applied references whether considered alone or in combination.

**II. The Objections to
Claims 33 and 34 Have been overcome**

Claims 33 and 34 have been amended in accordance with the Examiner's suggestions thereby overcoming the objections to these claims.

**III. The Rejections
Under §102 and §103
have been overcome**

In rejecting the pending claims, the Examiner used U.S. Patent No. 5,517,232 to Heidemann et al. as the primary reference in each of the rejections whether the rejection is under 35 U.S.C. §102 or §103. Accordingly, Applicant's arguments will focus on this reference.

As amended, representative claim 26 states:

A method of operating a headend of an HFC cable arrangement, the method comprising:
receiving an upstream optical signal;
converting the received upstream optical signal to a composite baseband signal representing a plurality of information streams;
generating from the composite baseband signal, the plurality of information streams;
modulating at least some of said plurality of information streams to produce modulated analog signals, a separate modulated analog signal being produced from each of said at least some of said plurality of information streams;
combining a plurality of said separate modulated analog signals generated to produce a combined modulated analog signal;
and processing the combined modulated analog signal to realize the service.

Applicant's have amended the independent claims to recite that the optical signal to which the claim refers is an "upstream" optical signal, e.g., one directed to the headend. In sharp contrast the signal and related

elements cited by the Examiner in Heidemann et al. are directed to downstream signal processing. Applicants respectfully submit that the downstream signal processing including various multiplexing and modulation operations, cited by the Examiner is directed to distributing different signals to different subscribers. The purpose of such signal processing is very different from processing performed in a headend where signals corresponding to different terminals are to be received and processed by, e.g., a headend subsystem for processing the combined modulated analog corresponding to multiple different terminals in order to provide a service.

The secondary references do not make up for the deficiencies of the primary reference. Accordingly, all of the pending claims, as amended, are neither anticipated nor rendered obvious by the applied references whether considered alone or in combination.

IV. New claims 37 and 38

Applicant's representative noticed that the optical network terminators cited by the Examiner in Heidemann et al. are coupled to a central station by an optical fiber. The optical network terminators are located between the optical fiber and the subscribers which are coupled to the optical network terminator by an electrical access network 110.

In reviewing the Examiner's rejections, Applicants representative noted that the Examiner seems to be considering the optical network terminators shown in the Heidemann et al.

patent to be part of a headend. New claims 37-38 have been added to obtain clarification from the Examiner with regard to what the Examiner considers to be a headend in any new rejections which may be raised.

New claim 37 recites:

The method of claim 26,
wherein receiving said upstream optical signal includes receiving said upstream optical signal from a distribution node which is coupled to the headend by an optical fiber, said distribution node being coupled to a plurality of user terminals.

If claim 37 is rejected in a future office action, Applicant respectfully requests that the Examiner clearly distinguish between what in the applied reference the Examiner asserts corresponds to the headend and the distribution node recited in claim 37. Such information is needed if the claim is to be properly compared to any applied references.

Conclusion

Applicant's representative looks forward to discussing the outstanding Office Action with the Examiner during the requested interview.

In view of the foregoing amendments and remarks, the Applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the

Applicant requests that the Examiner pass this application to issue.

Respectfully submitted,

March 19, 2007

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

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Signature

March 19, 2007

Date